

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 21, 1971

9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll call:

Present: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Absent: None

Present also: Lynn H. Andrews, City Manager; Don R. Butler, City Attorney

The Invocation was delivered by REVEREND THEODORE McELROY, Hyde Park Christian Church.

RECOGNITION

The Mayor and City Council Members recognized the 42nd Police Cadet Class.

INTRODUCTION

The Council introduced Mr. Homer Reed as Executive Administrator of the City of Austin.

CIVIC CENTER

Mr. Howard M. Simmons appeared before the Council to discuss a Capitol Bowl Civic Center on Town Lake, South Congress at Riverside. The Council referred him to speak to the Convention Center Complex Committee.

ZONING WITHDRAWN

Councilman Price moved the Council grant the request of Mr. R. C. Littlefield to withdraw zoning file No. C14-70-240. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison*, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

*Councilman Atkison's vote was not counted in accord with the ruling of the City Attorney.

VACATION OF STREETS - POSTPONED

At the request of Mr. Bill Williams, Urban Renewal, the item of consideration of authorizing the vacation of the following streets was postponed:

Neches Street between East 10th Street and East 11th Street.

Portion of East 10th Street alley from Trinity Street to a point 104 feet east of the east line of Neches Street.

(retain entire area for a drainage and public utilities easement. Vacation not recommended by Planning Commission)

VACATION OF STREETS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF SOUTH CONGRESS AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Portion of Post Road)

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

The ordinance was read the third time and Councilman Price moved the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF SOUTH 4TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (From Juanita Street, northerly 101.24 feet to a dead end; retain west 10 feet and the east 19.50 feet of the above described tract of land as a public utilities easement)

The Director of Public Works, Mr. Rountree, explained that South 4th Street dead ended at school property.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilman Atkison

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilman Atkison

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT

Councilman Johnson asked that the Minutes reflect that he disqualified himself on this item.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH BARBARA F. BRAWNER OWEN; AND DECLARING AN EMERGENCY. (For water and sewer mains in Brawner's Subdivision, Section 2 - \$24,045.07)

The ordinance was read the first time and Councilman Price moved the

rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilmen Atkison, Johnson

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilmen Atkison, Johnson

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilmen Atkison, Johnson

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE

Mayor LaRue brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 19.5 ACRES OF LAND OUT OF THE JOHN APPLGAIIT SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Middle Fiskville Road north of Rundberg Lane; requested by owner's representative)

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

PAVING ASSESSMENT HEARINGS SET

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 9:30 O'CLOCK A.M. ON THE 25TH DAY OF FEBRUARY, 1971, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Bissel Lane and sundry other streets under Contract 70-Pa-127 covering 26 blocks)

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilman Atkison; Councilman Johnson disqualifying himself

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilman Atkison; Councilman Johnson disqualifying himself

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 9:30 O'CLOCK A.M. ON THE 25TH DAY OF FEBRUARY, 1971, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Porter Street and sundry other streets under Contract 70-Pa-122 covering 19 blocks)

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilman Atkison; Councilman Johnson disqualifying himself

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Present but not voting: Councilman Atkison; Councilman Johnson disqualifying himself

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 9:30 O'CLOCK A.M. ON THE 25TH DAY OF FEBRUARY, 1971, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Francisco Street and sundry other streets under Contract 70-Pa-119 covering 20 blocks)

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison; Councilman Johnson
disqualifying himself

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison; Councilman Johnson
disqualifying himself

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 9:30 O'CLOCK A.M. ON THE 25TH DAY OF FEBRUARY, 1971, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Bunche Road and sundry other streets under Contract 70-Pa-114 covering 29½ blocks)

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison; Councilman Johnson
disqualifying himself

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison; Councilman Johnson
disqualifying himself

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 9:30 O'CLOCK A.M. ON THE 25TH DAY OF FEBRUARY, 1971, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Montopolis Drive under Contract 70-Pa-113 covering 10 blocks)

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison; Councilman Johnson
disqualifying himself

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison; Councilman Johnson
disqualifying himself

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 9:30 O'CLOCK A.M. ON THE 25TH DAY OF FEBRUARY, 1971, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE, (West Annie Street and sundry other streets under Contract 70-Pa-111 covering 11 blocks)

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison; Councilman Johnson
disqualifying himself

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison; Councilman Johnson
disqualifying himself

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 17,145 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS 601-603 CLIFFORD STREET; 4214-4218 SOUTH FIRST STREET, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: Councilman Johnson
Present but not voting: Councilman Atkison

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: Councilman Johnson
Present but not voting: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 70A AND 70B, RESUBDIVISION OF LOT 70, WOODLAWN ADDITION, LOCALLY KNOWN AS 607-611 RIVERSIDE DRIVE, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, Price, Mayor LaRue
Noes: None
Present but not voting: Councilmen Atkison, MacCorkle

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, Price, Mayor LaRue
Noes: None
Present but not voting: Councilmen Atkison, MacCorkle

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE
USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE
OF 1967 AS FOLLOWS: LOTS 35-A, BLOCK 4, C. L. ANGELL
SUBDIVISION, LOCALLY KNOWN AS 6208-6212 LANGHAM STREET;
1706-1708 MONTOPOLIS DRIVE, FROM "A" RESIDENCE DISTRICT
TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING
LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS.

The ordinance was read the first time and Councilman Price moved the
ordinance be passed to its second reading. The motion, seconded by Councilman
Janes, carried by the following vote:

Ayes: Councilmen Janes, MacCorkle, Price, Mayor LaRue
Noes: Councilmen Gage, Johnson
Present but not voting: Councilman Atkison

Councilman Atkison left at this point in the Council Meeting.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE
USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE
OF 1967 AS FOLLOWS: LOTS 1, 2, 3 AND 4, BLOCK 13,
HIGHLANDS ADDITION, LOCALLY KNOWN AS 5101-5103 EVANS
AVENUE AND 600-602 EAST 51ST STREET, FROM "A" RESIDENCE
DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING
LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING
THE RULE REQUIRING THE READING OF ORDINANCES ON THREE
SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the
rule be suspended and the ordinance passed to its second reading. The motion,
seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the second time and Councilman Price moved that the
rule be suspended and the ordinance passed to its third reading. The motion,
seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 14 AND 16, BLOCK 2, BUDDINGTON SUBDIVISION, LOCALLY KNOWN AS 3705-3707 CEDAR STREET; 107-111 WEST 38TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: (1) WEST 120 FEET OF LOT 31, BLOCK 3, LEANDER BROWN SUBDIVISION, LOCALLY KNOWN AS 606-614 WEST 28TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (2) PARTS OF LOTS 5 AND 6, BLOCK 3, MOORE SUBDIVISION, LOCALLY KNOWN AS 2811-2813 SAN JACINTO BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (3) A 2.08 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8408 NORTH I.H. 35, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: TRACT 1: 7.7 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2033-2223 EAST RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; TRACT 2: 7.2 ACRE TRACT OF LAND, LOCALLY KNOWN AS REAR 2033-2223 EAST RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison
Present but not voting: Councilman MacCorkle

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison
Present but not voting: Councilman MacCorkle

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison
Present but not voting: Councilman MacCorkle

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 2 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7602-7634 BURNET ROAD, FROM "GR" GENERAL RETAIL, FIRST AND THIRD HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, THIRD HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison
Present but not voting: Councilman Gage (disqualified himself)

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman ATKISON
Present but not voting: Councilman Gage (disqualified himself)

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman ATKISON
Present but not voting: Councilman Gage (disqualified himself)

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 2.1 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4922-5024 WEIDEMAR LANE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman ATKISON

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman ATKISON

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman ATKISON

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 2, BLOCK 2, PORTER SUBDIVISION, LOCALLY KNOWN AS 1209-1211 MONTOPOLIS DRIVE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: Councilman Gage
Absent: Councilman Atkison

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: Councilman Gage
Absent: Councilman Atkison

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: Councilman Gage
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 11 AND 12, BLOCK 25, A. F. SMITH ADDITION, LOCALLY KNOWN AS 1505-1507 NORTH STREET, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman ATKISON

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman ATKISON

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman ATKISON

The Mayor announced that the ordinance had been finally passed.

POSTPONEMENT OF ZONING ORDINANCE

The Council had before it an ordinance covering the following zoning:

| | | |
|-----------------------|------------------------|------------------------|
| DAVIDSON & ASSOCIATES | 8506-8906 North I.H.35 | From "A" Residence 1st |
| CL4-70-210 | | Height and Area & |
| | | "D" Industrial 1st |
| | | Height and Area |
| | | To "C" Commercial 5th |
| | | Height and Area |

Mr. Baker made a request for Legal determination regarding the Planning Commission's recommendation, as to whether or not it could be waived -- "if subdivision plat is filed - GRANT; to DENY if not filed". If they do not file a subdivision plat, will it take 6 votes to overrule the Planning Commission's recommendation. Mr. Eskew amended boundary lines in Ordinance.

Councilman Janes moved the Council postpone the zoning ordinance for one week. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman ATKISON

HEARING ON TAXICAB FARE INCREASE

The Council heard E. J. Robinette and Mr. Ramsey - C.P.A. - and reviewed exhibits. They then continued the hearing until February 11, 1971, at 9:30 A.M.

ANNEXATION HEARING SET

Councilman Janes moved the Council adopt a resolution setting a public hearing at 9:30 A.M., February 4, 1971, to consider annexing the following:

197.31 acres of land out of the James M. Mitchell and James Coleman Surveys. (195.98 acres requested by owner's representative)

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Atkison

Two tracts to be included and property owners notified.

LICENSE AGREEMENT

Councilman Janes moved the Council adopt a resolution authorizing a license agreement with the Missouri Pacific Railroad Company to install an 8-inch sanitary sewer pipeline beneath the railroad's tracks, in South Congress Avenue. (U.S. Highway 81) - \$100.00 Standard License Fee. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Atkison

EASEMENTS RELEASED

Councilman Gage moved the Council adopt resolutions authorizing the release of the following easements:

A portion of a public utilities easement out of Lot 1, Mary Alice Comesky Subeildivision.

A portion of a 10-foot public utilities easement out of Lot 4, Block 8, Huntland Heights, Section One.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Atkison

STREET NAME CHANGE

Councilman MacCorkle moved the Council adopt a resolution authorizing the street name change from Blythewood Drive to TREYS WAY (that portion from Merriwood Drive westerly 1000 feet to Blythewood Drive). The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

CONTRACTS AWARDED

Councilman Johnson moved the Council adopt a resolution awarding contracts as follows:

BALCONES MATERIAL, INC. - Twelve (12) months contract for
furnishing flexible base - \$70,756.00.

Councilman Johnson pointed out this low bid
represents 12% savings on a \$70,000 contract
over last years' contract price.

TEXAS CRUSHED STONE CO. - Twelve (12) months contract for
furnishing Grade 3 Crushed Aggregate -
\$6,800.00.

The motion, seconded by Councilman Price, carried by the following vote:
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Price moved the Council adopt a resolution awarding the following contract:

AUSTIN WHITE LIME CO. - Twelve (12) months contract for
furnishing quick lime - \$124,000.00.

The motion, seconded by Councilman MacCorkle, carried by the following
vote:
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Gage moved the Council adopt a resolution awarding the following contract:

VENABLE SPRINKLER SALES, - Miscellaneous PVC Pipe and Fittings -
INCORPORATED \$8,555.84.

The motion, seconded by Councilman MacCorkle, carried by the following
vote:
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

On award of sprinkler system, Councilman MacCorkle noted many complimentary comments on what they are doing at the Cemetery. Regarding the removal of the Palm tree and evergreen from the Municipal Building, the City Manager reported they had been replanted -- the palm tree at Fiesta Gardens.

Councilman Price moved the Council adopt a resolution awarding the following contract:

U. S. PIPE AND FOUNDRY COMPANY - Twelve (12) months contract to furnish Cast Iron Pipe - \$55,722.50.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Janes moved the Council adopt a resolution awarding contracts as follows:

GRAYBAR ELECTRIC COMPANY - Two (2) each 500 KVA, 120/208Y, 12470 Volt Three Phase Pad Mounted Transformers - \$5,800.00.

TECHLINE, INC. - One (1) each 1500 KVA, 12470, 480/277Y Volt, Three Phase Pad Mounted Transformers - \$5,387.00.

Councilman Johnson pointed out this price represents a 32% savings over 1967 and a 7% savings over a four month's period. Councilman Gage said the transformer prices were down nation-wide. Mayor LaRue attributed this low price to change in policy.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Price moved the Council adopt a resolution awarding the following contract:

UTILITY STEEL COMPANY - Miscellaneous Unassembled Galvanized Steel - \$7,457.53.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Johnson moved the Council adopt a resolution awarding the following contract:

GRAYBAR ELECTRIC COMPANY - 50,000 pounds of aluminum conductor code name Arbutus - \$16,450.00.

The City Manager to get comparison on this over the other type, Mr. R. L. Hancock made a comparison technically, reporting the aluminum conductor

was less expensive.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

AFFIRMATIVE ACTION PLAN FOR EMPLOYING RESIDENTS
OF MODEL NEIGHBORHOOD AREA

MR. TONY OJEDA, Director of Model Cities, reviewed the Housing and Urban Development policy that residents of the Model Neighborhood area be given maximum opportunity employment and training in the various projects under the Model Cities concept. The policy requires that the Council adopt an affirmative action resolution covering:

- (1) General Labor Standards Provision of the Department of Housing and Urban Development;
- (2) General Labor Standards Procedures for Contractors.
- (3) That the City pass the actual Affirmative Action Program, insuring that in all of its contracts for the Federal construction in the Model Neighborhood area and related construction, that affirmative action will be required of all contractors.

The contractors will show what procedures they will use to employ and to train residents in the actual construction work.

Also brought up for mention was the letter CDA No. 11, which the City Manager discussed in length and detail.

The City Manager recommended that the Council adopt this Affirmative Action Resolution.

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a Contractor subject to the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89-754, referred to as the "Model Cities Act") is obligated to take affirmative action to insure that residents of the Model Neighborhood Area (hereinafter referred to as MNA) are trained and employed and that business concerns located in or owned in substantial part by MNA residents are to the greatest extent feasible awarded contracts; and,

WHEREAS, City Demonstration Agency Letter No. 8, dated June, 1969, Appendix 8, entitled "General Labor Standards Procedures" provides generally for procedures in determining compliance by a Contractor with the affirmative action program; and,

WHEREAS, employees and applicants for employment are not to be discriminated against because of race, color, religion, sex, or national origin; and,

WHEREAS, the City of Austin is responsible for reviewing the contract performance to insure that these requirements are being met; and,

WHEREAS, those employees required to submit their affirmative action programs in writing are those having prime or subcontracts of \$10,000 or more; and,

WHEREAS, it is in the best interest of the City of Austin that contractors be informed early enough to insure that they know exactly what is required of them, and also that they have sufficient time to implement the requirements; and,

WHEREAS, after studying documents (attached hereto and made a part hereof) entitled "Model Cities Administration Labor Standards Provision," "General Labor Standards Procedures," and "City of Austin Affirmative Action Program," the Council finds that guidelines contained in these documents are necessary to provide jobs for low-income residents of the City; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the above captioned documents be inserted in all Model Cities generated contracts and related contracts which are over \$10,000 for rehabilitation, new construction, demolition, repair, and alteration projects in the MNA; and,

That if the letter and spirit of the Model Cities Act is not being complied with, the Council will consider other alternatives in recruiting, training, and up-grading MNA residents.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

(Documents attached and made a part hereof are on the following pages)

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
MODEL CITIES ADMINISTRATION
LABOR STANDARDS PROVISIONS

1. OPPORTUNITIES FOR RESIDENTS.

In all work made possible or resulting from this Contract, affirmative action will be taken to ensure that residents of the model neighborhood area are given maximum opportunity for training and employment and that business concerns located in or owned in substantial part by residents of the model neighborhood are to the greatest extent feasible, awarded contracts.

2. EQUAL OPPORTUNITY

A. During the performance of this Contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

(3) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access

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to his books, records, and accounts by HUD and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of the said rules, regulations, or orders, this Contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) above and paragraph B below in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as HUD may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by HUD, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

B. Non-Segregated Facilities. The Contractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The Contractor covenants that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. As used in this paragraph the term "segregated facilities" means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, timeclocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise.

3. SPECIAL USE OF TERM

Notwithstanding Section 100 of the Grant Agreement and Section 100 of the Supplementary General Conditions, the term "Contractor" may include an "Operating Agency" as defined in the Grant Agreement and an "Agency" as defined in the Supplementary General Conditions.

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4. DAVIS-BACON ACT

(1) Minimum wages. (1) All mechanics and laborers employed or working upon the site of the work will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3)), the full amounts due at time of payment computed at wage rates not less than those contained in the wage determination decision of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the Contractor and such laborers and mechanics; and the wage determination decision shall be posted by the Contractor at the site of the work in a prominent place where it can be easily seen by the workers. For the purpose of this clause, contributions made or costs reasonably anticipated under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv). Also for the purposes of this clause, regular contributions made or costs incurred for more than a weekly period under plans, funds, or programs, but covering the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

(11) The Contracting Officer shall require that any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the Contract, shall be classified or reclassified conformably to the wage determination, and a report of the action taken shall be sent by the Federal agency to the Secretary of Labor. In the event the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers and mechanics to be used, the question accompanied by the recommendation of the Contracting Officer shall be referred to the Secretary for final determination.

(111) The Contracting Officer shall require, whenever the minimum wage rate prescribed in the Contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly wage rate and the Contractor is obligated to pay a cash equivalent of such a fringe benefit, an hourly cash equivalent thereof to be established. In the event the interested parties cannot agree upon a cash equivalent of the fringe benefit, the question, accompanied by the recommendation of the Contracting Officer, shall be referred to the Secretary of Labor for determination.

(iv) If the Contractor does not make payments to a trustee or other third person, he may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing benefits under a plan or program of a type expressly listed in the wage determination decision of the Secretary of Labor which is a part of this Contract: Provided, however, the Secretary of Labor has found, upon the written request of the Contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the Contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

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(2) Withholding. HUD may withhold or cause to be withheld from the Contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics employed by the Contractor or any subcontractor on the work the full amount of wages required by the Contract. In the event of failure to pay any laborer or mechanic employed or working on the site of the work, HUD may, after written notice to the Contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

(3) Payrolls and basic records. (1) Payrolls and basic records relating thereto will be maintained during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records will contain the name and address of each such employee, his correct classification, rates of pay (including rates of contributions or costs anticipated of the types described in section 1(b)(2) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the Contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

(ii) The Contractor will submit weekly a copy of all payrolls to the City if the City is a party to the Contract, but if the City is not such a party the Contractor will submit the payrolls to the Agency for transmission to the City, for transmission to HUD. The copy shall be accompanied by a statement signed by the employer or his agent indicating that the payrolls are correct and complete, that the wage rates contained therein are not less than those determined by the Secretary of Labor and that the classifications set forth for each laborer or mechanic conform with the work he performed. A submission of a "Weekly Statement of Compliance" which is required under this Contract and the Copeland regulations of the Secretary of Labor (29 CFR, Part 3) and the filing with the initial payroll or any subsequent payroll of a copy of any findings by the Secretary of Labor under 29 CFR 5.5(a)(1)(iv) shall satisfy this requirement. The prime Contractor shall be responsible for the submission of copies of payrolls for all subcontractors. The Contractor will make the records required under the labor standards clauses of the Contract available for inspection by authorized representatives of HUD, the City /or the Agency/ and the Department of Labor, and will permit such representatives to interview employees during working hours on the job.

(4) Apprentices. Apprentices will be permitted to work as such only when they are registered, individually, under a bona fide apprenticeship program registered with a State apprenticeship agency which is recognized by the Bureau

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of Apprenticeship and Training, United States Department of Labor; or, if no such recognized agency exists in a State, under a program registered with the Bureau of Apprenticeship and Training, United States Department of Labor. The allowable ratio of apprentices to journeymen in any craft classification shall not be greater than the ratio permitted to the Contractor as to his entire work force under the registered program. Any employee listed on a payroll at an apprentice wage rate, who is not registered as above, shall be paid the wage rate determined by the Secretary of Labor for the classification of work he actually performed. The Contractor or subcontractor will be required to furnish to the Contracting Officer written evidence of the registration of his program and apprentices as well as of the appropriate ratios and wage rates, for the area of construction prior to using any apprentices on the contract work.

(5) Compliance with Copeland Regulations (29 CFR Part 3). The Contractor shall comply with the Copeland Regulations (29 CFR Part 3) of the Secretary of Labor which are herein incorporated by reference.

(6) Subcontracts. The Contractor will insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (5) and (7) and such other clauses as HUD may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts which they may enter into, together with a clause requiring this insertion in any further subcontracts that may in turn be made.

(7) Contract termination; debarment. A breach of clauses (1) through (6) may be grounds for termination of the contract, and for debarment as provided in 29 CFR 5.6.

5. CONTRACT WORK HOURS STANDARDS ACT

(1) Overtime requirements. No Contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any laborer or mechanic in any workweek in which he is employed on such work to work in excess of eight hours in any calendar day or in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such workweek, as the case may be.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in subparagraph (1), the Contractor and any subcontractor responsible therefor shall be liable to any affected employee for his unpaid wages. In addition, such Contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District

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or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic employed in violation of the clause set forth in subparagraph (1) in the sum of \$10 for each calendar day on which such employee was required or permitted to work in excess of eight hours or in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in subparagraph (1).

(3) Withholding for unpaid wages and liquidated damages. HUD may withhold or cause to be withheld, from any moneys payable on account of work performed by the Contractor or subcontractor, such sums as may administratively be determined to be necessary to satisfy any liabilities of such Contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (2).

(4) Subcontracts. The Contractor shall insert in any subcontracts the clauses set forth in subparagraphs (1), (2), and (3) of this paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts which they may enter into, together with a clause requiring this insertion in any further subcontracts that may in turn be made.

GENERAL LABOR STANDARDS PROCEDURES

1. AFFIRMATIVE ACTION PROGRAMS

A contractor^{1/} subject to the Model Cities Labor Standards Provisions is obligated to take affirmative action to ensure that (1) residents of the model neighborhood are given maximum opportunity for training and employment and that business concerns located in or owned in substantial part by residents of the model neighborhood are to the greatest extent feasible awarded contracts, and (2) that employees and applicants for employment are not discriminated against because of race, color, religion, sex, or national origin. The City and the operating agency are responsible for reviewing contract performance to ensure that this requirement is being met. Those required to prepare and submit their affirmative action programs in writing are employers having prime or contracts of \$10,000 or more.

Contractors shall be informed early enough to ensure that they not only know exactly what is required of them but also that they have sufficient time to implement the requirements. To facilitate early implementation the Model Cities Administration's Labor Standards Provisions (HUD Form 7051) and the Instructions for Contractors Regarding Affirmative Action Under Executive Order 11246 (HUD Form 907) shall be attached to the job specifications.

2. PREBID AND PREAWARD CONFERENCES

Conferences should be held sufficiently in advance of the assembly of the work force to permit effective implementation of the objectives of the labor standards provisions. In determining the appropriate time for the conference, the operating agency should evaluate such factors as the normal lead time between the bidding and the award of the contract; whether the contractor will employ his own work force, or will subcontract; the normal lead time between the awarding of subcontracts and the beginning of work; the type of construction skills needed; the speed with which construction skills can be obtained from nondiscriminatory sources; and the time necessary for advertising, recruitment and selection of employees. In cases in which the prime contract is to be awarded through a competitive bidding procedure the conference should be prior to the bidding for the purpose of discussing the labor standards provisions. In all other prime contract situations the conference should be prior to the award of the contract.

^{1/} This term includes a private operating agency when it participates in construction work in which it is an employer of laborers and mechanics.

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It may be necessary to schedule more than one conference involving the prime contractor and subcontractors. It is more important that the initial conference be held in advance of the assembly of the work force, as indicated above, than that all potential subcontractors participate in the same conference.

3. ATTENDANCE AT CONFERENCES

The City shall participate in all conferences between the operating agencies and its contractors. The Operating Agency shall notify the City of the proposed conference. The City shall notify the citizen participation mechanism and the HUD Regional Office of a proposed conference, so that citizen and HUD representatives may participate, when the conference involves or results from a prime contract for an amount exceeding \$10,000. The City official charged with direct responsibility for executing the Program should conduct those conferences which are most critical in terms of potential size of the construction work force, past performance of the contractors involved, or similar factors. The City should request the operating agency to send, as its representatives at the conferences, officials who will have authority to enforce contract terms.

Construction contractors and their subcontractors should be represented by officials who will be directly responsible for the selection of the work force and for supervision over construction workers.

4. CONFERENCE AGENDA

The City official conducting the conference shall:

- A. Emphasize the Opportunities for Residents provision of the Supplemental General Conditions (See Appendix 6) which requires affirmative action to ensure residents are given maximum opportunities for employment, training and the awarding of contracts.
- B. Review the contract provisions pertaining to labor standards and the "Anti-Kickback Act Regulations" to assure that they are fully understood by the prime contractor and all subcontractors.
- C. Review the wage rate determinations and the schedule of classifications for the contract and determine whether any additional classifications or reclassifications must be made. Extreme care shall be taken to assure that the classifications used accurately describe the work to be performed.

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D. Review the contract provisions pertaining to equal employment opportunity to assure that the requirements are fully understood, and that all hiring practices are in conformance with the contract provisions. The review shall include the following:

1. Summary of the contractor's obligation (i) to take positive action to assure that his procedures provide for, and his officers and employees practice, nondiscriminatory action in all employment matters, and (ii) to include the equal employment opportunity contract provisions in all subcontracts, except those specifically exempted from the requirements of Executive Order 11246. With respect to Item (i), it is not sufficient for a contractor to assume that there is no discrimination in his organization simply because there have been no formal complaints from applicants or employees.

It is expected that a contractor's affirmative action program will include actions suited to carrying out the principles listed in Form HUD-907 to show that top management of the company intends to, and will exert positive effort to assure equal opportunity in employment.

If hiring is restricted by agreement to members of a union which discriminates, the contractor should make every effort to persuade the union to change its policy.

In summarizing and explaining the contract requirements, the City representative should note that Executive Order 11246 requires that the contractor provide equal employment opportunity in all aspects of his employment. Although primary emphasis will be given to assuring that the requirements are met on work performed under the federally assisted construction contract, the nondiscrimination clause applies to administrative, supervisory, professional, and clerical personnel as well as direct construction employment under the contract.

2. Discussion of recruitment sources normally used by the contractor and of any problems anticipated in obtaining a work force from nondiscriminatory employment sources. Discussion of action to be taken with respect to discriminatory sources, including referral to an appropriate Federal, state, or local agency, to resolve such problems. Discussion of alternative sources for obtaining skilled workers, including special training programs.

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3. Statement of City representative that all contractors will be subject to continuing surveillance and that a contractor will be informed of any violations coming to the attention of the City or representative of the Federal Government and given an opportunity to comply. The contractor shall be advised that voluntary compliance is desired by the Government, but that sanctions may be imposed if the contractor fails to comply.
- E. Explain the way in which any applicable fringe benefit requirements can be satisfied.
- F. Ascertain whether any apprentices will be employed on the project. If apprentices will be employed, the City must obtain evidence indicating that the apprentices are participating in a bona fide and properly registered apprenticeship program. In addition, the limitation on the ratio of apprentices to journeymen shall be explained to the prime contractor and subcontractors.
- G. Point out that the applicable Department of Labor wage poster and the applicable wage determinations, including any approved additional classifications, must be posted in a prominent and easily accessible place at the site of the work, together with a statement showing all deductions to be made from the wages earned by persons employed under the applicable determinations.
- H. Emphasize the fact that all contract provisions pertaining to labor standards and the "Anti-Kickback Act" must be included in all subcontracts and lower tier subcontracts. Also, the contractor shall specifically be advised that he is fully responsible for any acts of omission or commission by any of his subcontractors in violation of these provisions.
- I. Explain the requirements concerning the submission of two certified copies of weekly payrolls, each payroll to contain the "Weekly Statement of Compliance."
- J. Point out that the payrolls and basic payroll records of the contractor and each subcontractor covering all laborers and mechanics employed upon work under the contract must be maintained during the course of the work and preserved for three years thereafter, during which time they must be available for inspection by authorized representatives of HUD, the City, the operating agency and the Department of Labor.
- K. Indicate that employee interviews will be conducted periodically in the normal course of site inspection activities.

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- L. Point out that, under the contract, breach of the labor standards provisions by the contractor or any subcontractor is a sufficient basis for termination of the contract and may also be grounds for debarment under applicable regulations issued by the Department of Labor.

5. REPORT ON PRECONSTRUCTION CONFERENCE

The City shall prepare a report on each preconstruction conference, except a conference attended by a Regional Office representative. The report shall include the following information:

- A. Operating Agency and Project name.
- B. Type of contract (for example, land disposition, project improvement).
- C. Name of contractor.
- D. Amount of contract.
- E. Date and place of conference.
- F. Name, titles, and organizational identification of all participants at conference.
- G. Concise summary of matters discussed, including potential problems.

A copy of the report shall be retained in the City files for a period of three years from the date of completion of the contract. If the contract is subject to Executive Order 11246, an original and two copies of each report prepared by the City shall be forwarded to the Regional Office, so as to reach the Regional Office by the tenth of the succeeding month.

If a Regional Office representative attends a conference, he will prepare the conference report and provide a copy to the City and Operating Agency.

6. POSTERS AND NOTICES TO UNIONS

The following information relating the specific provisions of the equal employment opportunity contract clause is provided primarily for the information of the City and Operating Agencies, but may also be used in answering questions raised by contractors.

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A. Poster HUD-901

The contract clause provides that there will be furnished to the contractor a notice which the contractor is required to post in conspicuous places setting forth the provisions of the clause. The poster may be obtained from the Regional Office and is available in two sizes, 9 inches by 12 inches or 12 inches by 18 inches. The City shall request that the prime contractor transmit the poster to his subcontractors, and shall furnish a sufficient quantity of posters for this purpose.

The contract clause also provides that the City will furnish a notice, which the contractor is required to send to each labor union or other representative or worker with which he has a collective bargaining agreement or similar understanding, setting forth the contractor's commitments under Executive Order 11246.

B. Poster HUD-902

The City shall supply copies of a Poster HUD-902 for posting at employment sites by its contractors who, because of contract amount or other exemption, are not now subject to Executive Order 11246, but are subject to the Department's equal opportunity requirements imposed by the City in its contracts for services.

7. EMPLOYEE INTERVIEWS AND PAYROLL INSPECTIONS

To assure compliance with contracts containing labor standards provisions, the City shall conduct routine interviews with laborers and mechanics employed on the project during the period in which site clearance or project improvement activities are being performed under such contracts. The interviews shall be conducted monthly with a random sample of either 10 percent or five of the employees employed by each contractor or subcontractor, whichever number is greater. Each employee interviewed shall be asked all the questions set forth on Form HUD-11, Record of Employee Interview (Labor Standards), and the form shall be completed, in an original only, for each interview conducted.

Information obtained in employee interviews shall be compared with the certified payrolls submitted by each contractor, at which time the payroll examination portion of Form HUD-11 shall be completed. Each completed Interview form shall be retained by the City for a period of three years from the date of completion of the contract.

8. NONCOMPLIANCE WITH LABOR STANDARDS

If a violation of the labor standards stipulated by the contract or applicable regulations or statutes results in underpayment of salaries or wages and the underpayment is found to be nonwillful and to total less than \$500, restitution shall be required to be made to all the employees involved, pursuant to the contract. The operating agency shall be advised in writing of all instances of noncompliance and require that the contractor take corrective action. A copy of this advice shall be sent to the Regional Office and the City shall retain final contract payments pending compliance. Computation of back salary or wages may be made by the City or the employer may be requested to make the computation, subject to verification by the City. In either case, the employer shall be required to submit two certified copies of a supplemental payroll to the operating agency specifying the exact amount of restitution paid to each employee. A copy of each certified supplemental payroll shall be retained by the operating agency for a period of three years from the date of completion of the contract.

If underpayments total \$500 or more or are willful, upon discovery of the underpayments, the Operating Agency shall immediately notify the City and the City shall immediately submit a written report to the Regional Office setting forth all of the known facts, and await advice as to any further action required. The same procedure shall be followed in all cases where a violation of the "Anti-Kickback Act" has been disclosed.

In addition to determining, as a part of normal contract administration responsibilities, whether a contractor is meeting his contract obligations, the City is responsible for:

- A. Reporting to the Regional Office any complaint received from an employee or applicant for employment with the City, operating agency, or with a contractor or subcontractor subject to Executive Order 11246 or to HUD equal employment opportunity requirements.
- B. Cooperating in special compliance reviews or investigations of complaints, as requested by the Regional Office or as prescribed in subsequent HUD policies and requirements.
- C. Carrying out sanctions against a contractor as required by HUD or the Department of Labor.
- D. Furnishing information as required by HUD or the Department of Labor.

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9. REPORTING COMPLAINTS TO HUD

The following instructions apply to any complaint of discrimination because of race, color, religion, sex, or national origin received from an employee or applicant for employment with the City, Operating Agency or with a contractor or subcontractor subject to the Executive Order or to HUD requirements.

The City shall assist a complainant, if necessary, by providing information as to the manner in which a complaint is to be prepared. The City shall advise the complainant that the complaint must be submitted in writing and shall assist a complainant if necessary, in reducing the complaint in writing. The complaint must include the following information:

- A. Name, address, and telephone number of the complainant.
- B. Name, address, and telephone number of authorized representative, if any.
- C. Name and local address of the contractor committing the alleged discrimination.
- D. Description of the acts considered to be discriminatory.
- E. Other pertinent information.
- F. Signature of the complainant (optional) and his authorized representative, if any.
- G. Name of City employee who assisted in preparing the complaint, if applicable.

The City shall promptly forward the complaint to the Regional Office. For a complaint received directly, the Regional Office will request the City to furnish project identification and additional information as required.

10. SEMIANNUAL LABOR STANDARDS ENFORCEMENT REPORT

The City shall submit to the Regional Office semiannual reports of compliance with the enforcement of Federal labor standards, on Form HUD-12, Labor Standards Enforcement Report. The reports shall cover the period of January 1 through June 30 or July 1 through December 31, and shall be dispatched in time to reach the Regional Office by the 8th of the month following the close of the reporting period.

CITY OF AUSTIN
AFFIRMATIVE ACTION PROGRAM

I. Purpose

To ensure that residents of the Model Neighborhood Area (MNA) are given maximum opportunities for training, employment and upgrading and that business concerns located in or owned in substantial part by MNA residents are awarded contracts.

II. Scope

This Affirmative Action Plan shall apply to all CCDP generated and related contracts over \$10,000 entered into by the City of Austin for rehabilitation, new construction, demolition, repair, and alteration projects in the MNA.

III. Affirmative Action Requirements

In order to assure the City of Austin that the contractor has the ability to undertake such an effort, each contractor bidding on the project must submit in writing, as part of his bid, a description of the affirmative action program that will be used to train and hire MNA residents. In order to be acceptable to the City of Austin, the affirmative action program must meet the following requirements:

- A. It must state that the contractor will give priority in employment to MNA residents for all new employment positions created as a result of this project and all employment positions that become vacant in this project during the life of the contract.
- B. It must include the contractor's manpower requirements including the number of new employment positions, job classifications, skill and experience qualifications, and wage rates, and an estimate of which and how many of these positions will be filled by MNA residents. If the contractor, successful bidder, does not hire as many MNA residents as estimated, he will be required to submit a written explanation to the City Demonstration Agency (CDA) of why he was unable to do so.
- C. It must state that the contractor will follow the recruitment procedures described below for all new employment positions created as a result of this project and all employment positions that become vacant in this project during the life of the contract.

The CDA will provide the Model Cities - Texas Employment Commission (TEC) Manpower Team with copies of the manpower requirements submitted as a portion of each bid. The CDA will inform the Manpower Team within forty-eight (48) hours which contractor has been awarded the contract. The Manpower Team will have thirty (30) consecutive days in which to offer applicants to the contractor, successful bidder, for the purpose of interviewing. In all instances, the contractor will be responsible for the selection of employees and designation of title, salary, and length of employment. However, in the case of a Manpower Team referral the contractor must return the Manpower Team Referral Application (Attach. c-1) no later than forty-eight (48) hours of his termination of the interview. If after thirty (30) consecutive working days, the referrals have not been sufficient to fill the positions, the contractor may request in writing a release from its obligation to exclusively utilize the Manpower Team. The Manpower Team will relinquish its exclusive referral capacity by sending one copy of the Manpower Team Release Form (Attach. c-2) to the contractor, one to the local TEC Office, and one to the CDA within forty-eight (48) hours of the request. After the Manpower Team relinquishes its exclusive referral capacity, the contractor is obligated to utilize the local TEC Office and will inform that Office in writing that the positions are open to the residents of Austin.

The only exception to this procedure is that after ten (10) working days of interviewing or within ten (10) days of the start of the project, the contractor may request in writing a release from its obligation to exclusively utilize the Manpower Team. If the Manpower Team feels that the referrals are not sufficient to fill the positions, the Manpower Team may relinquish its exclusive referral capacity by sending one copy of the Manpower Team Release Form to the contractor and one to the CDA within forty-eight (48) hours of the request. In the event that the Manpower Team relinquishes its exclusive referral capacity, the contractor is obligated to utilize the local TEC Office and will inform that Office in writing that the positions are open to the residents of Austin.

- D. It must provide MNA residents with a training program that will enable them to become fully qualified journeymen in the shortest possible time as established by trade practices. The training program must include the following components:
1. On-the-job training under the supervision of a competent journeyman;
 2. Training in how to work with disadvantaged people for the construction supervisors and the journeyman-instructors;

3. Orientation program for MNA residents who do not have construction experience;
4. Job related basic education designed to enable trainees to obtain the level of reading, writing, and mathematics skills required to achieve journeyman status;
5. Specific craft-related classroom training designed to enable trainees to acquire the knowledge they need to become journeymen in the shortest time possible as established by trade practices.

The description of the training program must include information on who is going to do the training (name of person or name of organization) and when it is going to be offered.

- E. It must include a statement that the contractor shall notify each subcontractor where the subcontractor exceeds \$10,000 of these provisions and require such subcontractors performing work within the scope of this agreement to conform to the provisions.
- F. It must state that he will solicit bids from and negotiate contracts with firms owned in substantial part by residents of the MNA.

IV. Pre-Bid Conference

The contractor shall attend a pre-bid conference at which the labor standards procedures in the "City of Austin Affirmative Action Program," "Model Cities Administration Labor Standards Procedures," and "General Labor Standards Procedures" will be discussed.

V. Pre-Award Conference

The contractor shall attend a pre-award conference at which he will be required to discuss his ability to comply with the labor standards requirements in the above mentioned documents.

At the pre-award conference he will submit evidence that he has taken affirmative action to solicit bids from and negotiate contracts with contracting firms located in or owned in substantial part by residents of the MNA. The submission must include the following items:

- A. Names and addresses of contracting firms owned in substantial part by residents of the MNA with whom the contractor has attempted to negotiate sub-contracts;

- B. Report on action that has been taken to assist contracting firms owned in substantial part by residents of the MNA to obtain the bonding they require in order to receive sub-contracts.

VI. Termination

All contractors will be subject to continuing surveillance as to the degree to which they are complying with the labor standards provisions contained in this Affirmative Action Program. Contractors will be informed of any violations coming to the attention of the City or representative of the Federal Government and given an opportunity to correct such violations. Voluntary compliance is desired by the Government but sanctions may be imposed if the contractor fails to comply.

Breach of these provisions by the contractor or any subcontractor is sufficient basis for termination of the contract and may also be grounds for debarment under applicable regulations issued by the U.S. Department of Labor.

Attachment c-1

A card indicating the following information will be carried by the resident to the Job Interview. This card will then be returned to the Manpower Team and then to the CDA.

I. Information to be filled out by TEC Personnel:

- a. Resident's Name
- b. Position to be Interviewed for
- c. Name of the Interviewer
- d. Address of Company
- e. Date & Time of Interview

II. Information to be filled out by Employer:

- a. Was Applicant hired?
If not, why not?
- b. Date to begin work; beginning salary
- c. Comments
- d. Signature of Individual Conducting Interview

Attachment c-2

Date

Dear Sir:

The Texas Employment Commission, as the primary Manpower Agency of the Model Neighborhood Program, releases you, _____, (name of contractor) from your obligation to use this agency as a referral source of _____ (number) area residents to be employed by your organization.

The TEC has made every effort to provide sufficient manpower for your program and has furnished _____ (number) of the _____ (number) individuals required.

Sincerely yours,

ER:va

cc: Austin Model Neighborhood Program

AGREEMENT FOR STREET LIGHTS

Councilman Price moved the Council adopt a resolution authorizing the agreement between Model Cities Department and Electric Department for the installation of street lights in the Model Neighborhood Area - Cost of Project: \$15,491 (100% Model Cities funds). The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

AGREEMENT FOR SIDEWALKS

Councilman Johnson moved the Council adopt a resolution authorizing an agreement between Model Cities Department and the Public Works Department for the construction of sidewalks in Model Neighborhood Area - Cost of Project: \$152,100.00. (100% Model Cities funds). The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

SALE OF HOUSES

Councilman Johnson moved the Council adopt a resolution authorizing the sale of houses and accepting positive bids on houses to be moved as follows:

| | | |
|--------------------|----------------------|------------|
| Willie H. Guenther | 706 Theresa | \$1,501.99 |
| C. T. Uselton | 2106 Lake Austin | \$2,126.11 |
| Glenn Zieschang | 1910 West 7th Street | \$ 752.00 |

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Not in Council Room when roll was called: Councilman Gage

Councilman Price moved the Council adopt a resolution authorizing the sale of houses and accepting negative bids on houses to be demolished as follows:

| | | |
|---------------------|-----------------------|------------|
| Southwest Rathgeber | 1904 West 10th Street | \$ 272.27 |
| Vince Ferrer | 2000 West 7th Street | \$ 404.00 |
| Ben J. Pesl | 2002 West 7th Street | \$ 73.00 |
| Vince Ferrer | 1708 Newfield | \$1,048.00 |
| Southwest Rathgeber | 1217 Red River | \$1,444.10 |
| Ben J. Pesl | 808 East 14th Street | \$ 223.00 |
| Lois H. Sutherland | 407½ Arlington | \$ 250.00 |

The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Not in Council Room when roll was called: Councilman Gage

DEDICATION OF STREET RIGHT OF WAY

Councilman Johnson moved the Council adopt a resolution authorizing dedication of street right of way for Hancock Drive and North Loop Boulevard. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison
Not in Council Room when roll was called: Councilman Gage

Councilman Johnson moved the Council adopt a resolution authorizing dedication of street right of way for Barton Springs Road. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison
Not in Council Room when roll was called: Councilman Gage

Councilman Johnson moved the Council adopt a resolution authorizing dedication of street right of way for Cumberland Road. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison
Not in Council Room when roll was called: Councilman Gage

Councilman Johnson moved the Council adopt a resolution authorizing dedication of street right of way for Wheless Lane and U. S. Highway 290. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison
Not in the Council Room when roll was called: Councilman Gage

HIGHWAY ILLUMINATION PROJECT

Councilman Johnson moved the Council adopt a resolution approving an agreement with the State of Texas for Highway Illumination Project on Missouri-Pacific Boulevard (Loop 1) between Lake Austin Boulevard and R. M. 2244; and providing for the execution of the said agreement. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

71-72-73 CAPITAL IMPROVEMENT PROGRAM SET FOR HEARING

The Council set consideration of the 1971 - 1972 - 1973 Capital Improvement Program for public hearing on February 11, 1971, at 2:00 P.M. Councilman Johnson asked that the Planning Commission make a supplemental report. (Adopting first year firm)

COMPLIMENTARY CARDS

The City Manager distributed a Memo that for a number of years that Legislators were mailed two complimentary cards for Recreational Activities. Mayor LaRue pointed out Luncheon Clubs had provided Legislators complimentary passes -- also the motion picture industries.

Councilman Janes moved the Council endorse the policy of past Councils and extend complimentary passes to Parks and Recreational activities to members of the Legislature. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

REPORT ON FILMS REGARDING A DRUG PROGRAM

Councilman Johnson reported the Mayor had asked him to represent the Council in a recent reviewing of an informative Drug Program Film which was conducted Monday from Channel 9 at the University. There will be a series of these films on Monday and Thursday evenings at 8:00 P.M. He commended the films stating they are of particular interest and are different from those usually shown, and Austin is fortunate in having Channel 9 conducting these showings. This is an honest attempt to analyze the drug problem. The Mayor asked, with the Council's permission, that Councilman Johnson serve on this Committee of 100.

MODEL NEIGHBORHOOD MEETING

Councilman Johnson noted there were only five members present at the Model Neighborhood meetings. It was brought out the new members had not received formal notifications from the City Clerk's Office, as notice was held up pending determination of the length of terms, and expiration dates.

HUMAN RELATIONS

Charges have been brought against some of the individuals involved in an incident at the Inaugural Parade, and in general. The Chairman of the Human Relations Commission is to call in these individuals hoping to bring about reconciliation without using the Court. Dr. Barclay, Chairman reported a public meeting and an Executive Meeting were held, where the people who brought the objections were allowed to come and be questioned, and then there was a meeting with the policemen.

The Committee is going to give all this information to the Commission Monday evening, and it is hoped that the Commission can bring a report and a recommendation to the Council next Thursday.

MR. VOLMA OVERTON reported many people had asked him about the Robinson incident, and it developed Mr. Robinson worked at the Silver Dollar Lounge and was not a guest, but was on duty. This was a matter of misunderstanding by many, and the news media might have confused the issue. Mr. Overton stated another part of his report was that he give further evidence of police brutality, particularly during an incident at the Inaugural Parade. Mayor LaRue called attention to the 72 hour rule imposed upon governing bodies. He stated the Council and the public had been notified that Mr. Overton could be heard today on the subject brought up last week at the Silver Dollar Lounge, and about the Durst family incident. He asked Mr. Overton to prepare his case for next Thursday, and take advantage of the services of the Human Relations Commission. The City Attorney stated the incident occurred within the last 72 hours, and the Council could consider hearing it only by declaring an emergency. The Mayor announced that there would be a meeting Monday evening of the Human Relations Commission, and the Council would have this on the agenda for 9:30 January 28th.

In this connection, Councilman MacCorkle stated he would study a long time a Citizens' Appeal Board on which appeals could be taken from the action of the Police, and he would not want the Human Relations Commission to serve as an Appeals Board, nor did he believe that every case would fall within the scope of the Human Relations Commission. Councilman Janes stated he had not abdicated his responsibility to any appeal board.

TAX APPEALS

TAX APPEALS

The Council heard the following Tax Appeals scheduled for 1:30 P.M.:

| Chris Crow, Jr. by James Crow | | Full Value by the Tax Dept. 1969 | Full Value by the Tax Dept. 1970 | Assessed Value by Tax Dept. | Value Rendered by Owner | Assessed Value Fixed by Board |
|-----------------------------------|----------|--|--|-----------------------------------|-------------------------------|-------------------------------------|
| 7100 Block North Interregional | | Land | | | | |
| 2.58 acres | Improve- | \$40,493 | \$140,481 | \$105,360 | \$30,370 | \$105,360 |
| Lot 2, Huntland | ments | 0 | 0 | 0 | 0 | 0 |
| Heights Section | Total | \$40,493 | \$140,481 | \$105,360 | \$30,370 | \$105,360 |
| Parcel No. 2-3013-0103 | | | | | | |
| 959 Reinli | | Land | | | | |
| Lot 1, Resub. of Lot 40 Duval | Improve- | \$38,884 | \$165,672 | \$124,250 | \$29,160 | \$124,250 |
| Heights | ments | 7,500 | 132,372 | 99,280 | 5,630 | 99,280 |
| | Total | \$46,384 | \$298,044 | \$223,530 | \$34,790 | \$223,530 |
| Parcel No. 2-2512-0446 | | | | | | |

Mr. James Crow stated that he did not feel the four-year cycle of tax assessment was equitable. With regard to Parcel No. 2-2512-0446, he felt that the rear portion of the property, which was vacant, should not be assessed at the same rate as the used portion with highway frontage. He felt that adjacent properties were assessed at a lower valuation, and that a valuation at 4/5 of properties with highway frontage was too high. Tax Assessor-Collector Jack Klitgaard stated that the property was being treated no differently from adjacent properties. He stated that while the rear portion of the property might have less value than the front portion, the assessment made was on the basis of an average figure which was fair for the entire tract.

Councilman Price moved that the Council sustain the value set by the Board of Equalization as follows:

| Chris Crow, Jr., by James Crow | | Assessed Value Fixed by Board | Council Action |
|--------------------------------|--------------|-------------------------------------|----------------|
| 7100 Block North Interregional | | | |
| 2.58 acres Lot 2, | Land | \$105,360 | \$105,360 |
| Huntland Heights Section 3 | Improvements | 0 | 0 |
| Parcel No. 2-3013-0103 | | | |
| Total | | \$105,360 | \$105,360 |

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Price moved that the full value of the property in Parcel No. 2-2512-0446 be adjusted to \$1.25 per square foot for the front 220 feet and 75¢ per square foot for the remaining portion of the parcel. The motion died for lack of a second.

Councilman Gage moved that the full value of the property in Parcel No. 2-2512-0446 be adjusted to 90¢ per square foot. The motion, seconded by Councilman Price, failed to carry by the following vote:

Ayes: Councilmen Gage, Price
 Noes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue
 Absent: Councilman Atkison

Councilman Janes moved that the Council sustain the value set by the Board of Equalization as follows:

Chris Crow, Jr., by James Crow

| | | Assessed Value Value Fixed by Board | Council Action |
|-------------------------|--------------|---|----------------|
| 959 Reinli | | | |
| Lot 1, Resub. of Lot 40 | | | |
| Duval Heights | Land | \$124,250 | \$124,250 |
| Parcel No. 2-2512-0446 | Improvements | 99,280 | 99,280 |
| | Total | \$223,530 | \$223,530 |

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue
 Noes: Councilmen Gage, Price
 Absent: Councilman Atkison

| | | Full Value by the Tax Dept. 1969 | Full Value by the Tax Dept. 1970 | Assessed Value by Tax Dept. | Value Rendered by Owner | Assessed Value Fixed by Board |
|---|-------------------|--|--|-----------------------------------|-------------------------------|-------------------------------------|
| Mrs. Mae Crockett by M. H. Crockett, Jr. | | | | | | |
| 2805-2819 San Jacinto | Land | \$21,450 | \$32,175 | \$24,130 | \$16,090 | \$24,130 |
| Parts of Lots 4, 5 and 6 and 7.5 feet adj. alley, Block 3, Outlot 10, Division D, Moore Subd. Parcel No. 2-1505-0314 | Improve- ments | 31,054 | 34,279 | 25,710 | 23,290 | 25,710 |
| | Total | \$52,504 | \$66,454 | \$49,840 | \$39,380 | \$49,840 |
| M. H. Crockett, Jr. | Land | \$11,613 | \$23,225 | \$17,420 | \$8,710 | \$17,420 |
| | Improve- ments | 375 | 375 | 280 | 280 | 280 |
| 3501 North Lamar Blvd. East 56.07 feet of West 83 feet Lots 1 and 2 and East 56.79 feet av. of North 34 feet Lot 3, Outlot 76, Division D, Hillview Addition Parcel No. 2-1803-0733 | Total | \$11,988 | \$23,600 | \$17,700 | \$8,990 | \$17,700 |